

**ORDINANCE NO. 20060928-089**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1320 EAST 51<sup>ST</sup> STREET FROM FAMILY RESIDENCE (SF-3) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to limited office-conditional overlay (LO-CO) combining district on the property described in Zoning Case No. C14-06-0114, on file at the Neighborhood Planning and Zoning Department, as follows:

A 5.20 acre tract of land, more or less, out of the James P. Wallace League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1320 East 51<sup>st</sup> Street in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are prohibited uses of the Property:

Art gallery	Art workshop
Administrative and business offices	Bed and breakfast residential
Bed and breakfast residential (Group 2)	(Group 1)
Communication services	Food sales
Medical offices (exceeding 5,000 sq. ft. of gross floor area)	Medical offices (not exceeding 5,000 sq. ft. of gross floor area)
Professional office	Software development

2. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

3. Vehicular access from the Property to 52<sup>nd</sup> Street is prohibited except for emergency vehicle use. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on October 9, 2006.

**PASSED AND APPROVED**

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September 28, 2006

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\_\_\_\_\_  
*Will Wynn*  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
*David Allan Smith* *Shirley A. Gentry*  
David Allan Smith Shirley A. Gentry  
City Attorney City Clerk

## **EXHIBIT A**

### **Description for Zoning Change**

#### **METES AND BOUND DESCRIPTION 5.20 ACRES OUT OF THE JAMES P. WALLACE LEAGUE TRAVIS COUNTY, TEXAS**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND BEING 5.20 ACRES OUT OF THE JAMES P. WALLACE LEAGUE IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT II CALLED 5 ACRES IN A DEED TO DIOCESE OF ST. MARON-U.S.A. RECORDED IN VOLUME 9135, PAGE 407, TRAVIS COUNTY DEED RECORDS, AND CONVEYED BY THE MOST REV. FRANCIS M. ZAYAK, MARONITE CATHOLIC ARCHBISHOP OF THE EPARCHY OF ST. MARON OF BROOKLYN, FORMERLY KNOWN AS THE DIOCESE OF SAINT MARON – USA, TO THE EPARCHY OF OUR LADY OF LEBANON OF LOS ANGELES, RECORDED IN VOLUME 12332, PAGE 207 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 5.20 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found in the north line of Lot 11 of Ridgetop Gardens, a subdivision in Travis County, Texas, of record in Volume 3, Page 50 of the Travis County Plat Records, at the southwest corner of Lot 2 of the United Pentecostal Church Addition, a subdivision in Travis County, Texas, of record in Volume 73, Page 2 of the Travis County Plat Records, at the southeast corner of said 5 acre tract, for the southeast corner and POINT OF BEGINNING hereof

THENCE with the north line of said Ridgetop Gardens Lot 11 and the south line of said 5 acres, N61°47'15"W for a distance of 125.24 feet

to an iron rod found at the common north corner of said Lot 11 and Lot 10 of said Ridgetop Gardens

THENCE continuing with the south line of said 5 acres and the north line of Lot 10 of said Ridgetop Gardens, N60°39'47"W for a distance of 205.43 feet to an iron rod set at the northwest corner of said Lot 10 and northeast corner of Lot 2, Ridgetop Gardens Resubdivision of a part of Lot 9, a subdivision in Travis County, Texas, of record in Volume 97, Page 147 of the Travis County Plat Records

THENCE continuing with the south line of said 5 acres and north line of said Lot 2, N60°00'00"W for a distance of 162.79 feet to an iron rod found at the northwest corner of said Lot 2 and northeast corner of Lot 8A, Resubdivision of a Portion of Lots 8 and 9, Ridgetop Gardens, a subdivision in Travis County, Texas, of record in Volume 23, Page 40 of the Travis County Plat Records

THENCE continuing with the south line of said 5 acres and north line of said Lot 8A, N60°36'19"W for a distance of 56.15 feet to an iron rod set at the southeast corner of the East 52<sup>nd</sup> Street right-of-way, for the southwest corner of said 5 acres and southwest corner hereof

THENCE with the west line of said 5 acres, east line of East 52<sup>nd</sup> Street, and then the east line of Lot 7, Ridgetop Gardens Section 2, a subdivision in Travis County, Texas, of record in Volume 6, Page 11 of the Travis County Plat Records, N21°43'04"E for a distance of 220.16 feet to a concrete monument found at the northeast corner of said Lot 7 and southeast corner of a City of Austin Drainageway tract, said Drainageway tract being out of and a part of a tract of land described in a deed to Nash Phillips and Clyde Copus, of record in Volume 1610, Page 463 of the Travis County Deed Records

THENCE continuing with the west line of said 5 acres and east line of said Drainageway tract, N20°44'16"E for a distance of 71.88 feet to an iron rod set at a northeast corner of said Phillips and Copus tract, northeast corner of said City of Austin tract, and southeast corner of Lot 15 of Windsor Park Section 4-A, a subdivision in Travis County, Texas, of record in Volume 7, Page 178 of the Travis County Plat Records

THENCE continuing with the west line of said 5 acres and east line of said Lot 15, N21°24'07"E for a distance of 21.12 feet to an iron rod set at an angle point

THENCE continuing with the west line of said 5 acres and east line of said Lot 15, N22°12'07"E for a distance of 85.40 feet to a point (inaccessible) in the east line of said Lot 15, at the southwest corner of Lot 16 of said Windsor Park Section 4-A, at the northwest corner of said 5 acres, for the northwest corner hereof

THENCE with the south line of said Windsor Park Section 4-A and then the south line of Windsor Park Section 3, a subdivision in Travis County, Texas, of record in Volume 7, Page 100 of the Travis County Plat Records, and with the north line of said 5 acres, S60°00'53"E for a distance of 605.08 feet to a 60d nail found at an ell corner of Lot 49 of said Windsor Park Section 3, at the northeast corner of said 5 acres, for the northeast corner hereof

THENCE with a west line of said Lot 49 and then the west line of said Lot 2 of the United Pentecostal Church Addition, and with the east line of said 5 acres, S29°38'03"W, at a distance of 7.40 feet passing a ¾" iron rod found at a corner of said Lot 49 and the northwest corner of said Lot 2, and continuing on for a total distance of 387.59 feet to the POINT OF BEGINNING hereof and containing 5.20 acres of land, more or less, according to surveys performed on the ground under the supervision of the undersigned from January, 1998 through August, 2003.

Prepared this the 20<sup>th</sup> day of April, 2006

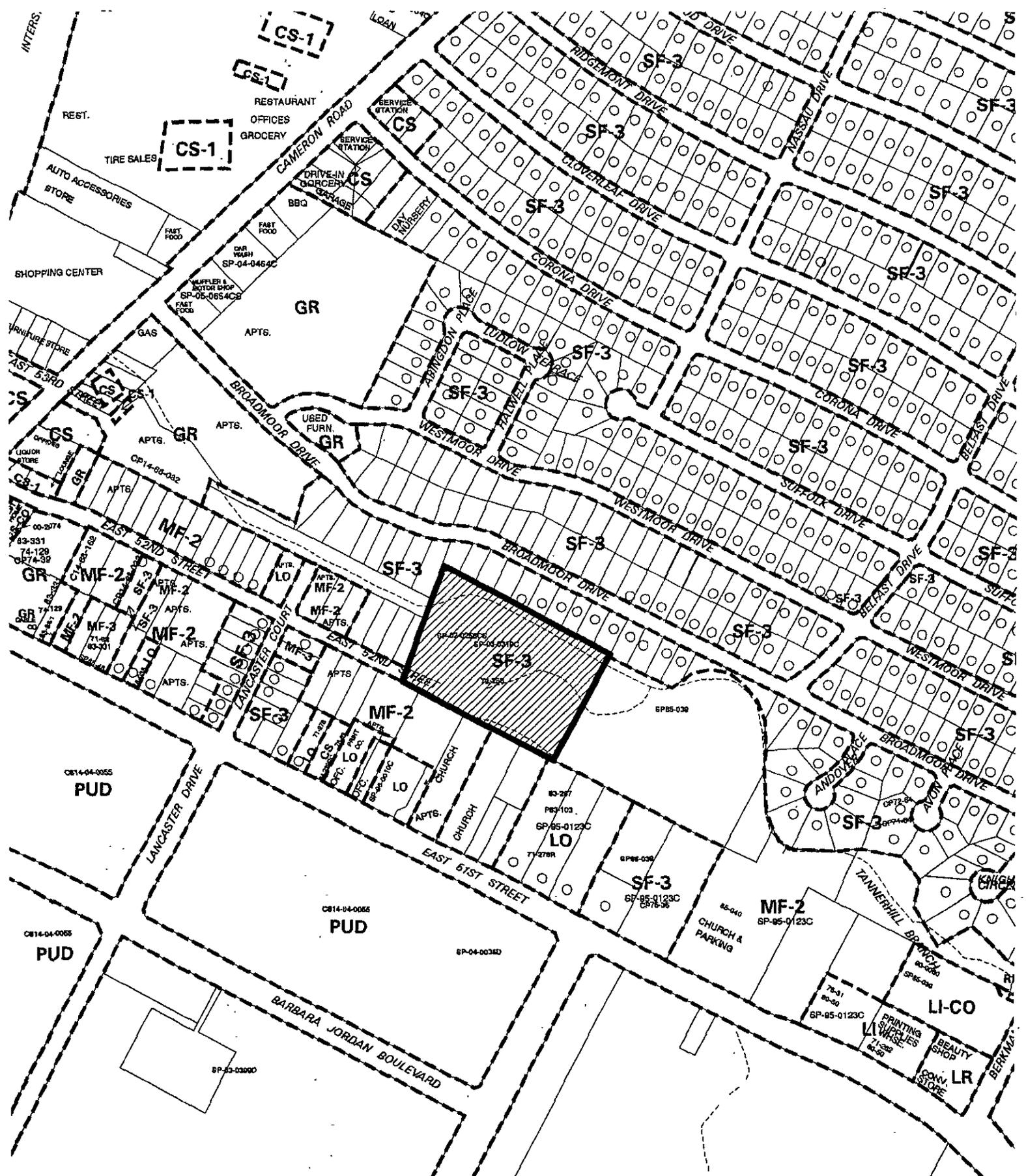


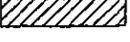
Michael Samford, R.P.L.S. 3693



**REFERENCES**

TCAD Parcel No. 02-22140515  
Austin Grid L25



 1" = 400'	SUBJECT TRACT 	<b>ZONING</b> Exhibit "B" DATE: 06-05 INTLS: SM	<b>CITY GRID REFERENCE NUMBER</b> L25
	PENDING CASE 		
	<b>CASE #:</b> C14-06-0114 <b>ADDRESS:</b> 1320 E 51ST ST <b>SUBJECT AREA (acres):</b> 5.200		
	<b>CASE MGR:</b> R.HEIL		